

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

IN THE MARION CIRCUIT COURT  
CAUSE NO. 49C01-0308-PL-002310

STATE OF INDIANA, )

Plaintiff, )

v. )

ROY C. PALMER, )  
individually and doing business as )  
CITY WIDE ROOFING AND PAINTING, )

Defendant. )

**FILED**

OCT 02 2003

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*Dana Ann Snollen*  
CLERK OF THE  
MARION CIRCUIT COURT

**DEFAULT JUDGMENT**

The Plaintiff, State of Indiana, having filed its Motion for Default Judgment and the Court having read the same and being duly advised in the premises, now finds:

1. The Court has subject matter jurisdiction and personal jurisdiction over the Defendant.
2. The Defendant, Roy C. Palmer was served with notice of these proceedings and a copy of the Complaint for Injunction, Restitution, Costs, and Civil Penalties.
3. The Defendant, Roy C. Palmer has failed to answer, plead, or otherwise respond to the complaint.
4. The Defendant, Roy C. Palmer is not an infant, incompetent, or in military service.

**THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED** that the Motion for Default Judgment is **GRANTED** in favor of the Plaintiff, State of Indiana, and against the Defendant, Roy C. Palmer, individually and doing business as City Wide Roofing and Painting, and that the Defendant, his agents, representatives, employees, successors and assigns remain permanently enjoined from engaging in conduct in violation of Ind. Code §24-5-11-1, *et seq.* and

Ind. Code §24-5-0.5-1, *et seq.*, including but not limited to engaging in any activity from which the Defendant has been specifically enjoined by the Marion Superior Court via a Default Judgment entered on April 22, 2002, under Cause Number 49D11-0203-PL-000461, the relevant provisions of which remain in full force and effect and are herein incorporated into this judgment by reference.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Court that judgment is granted in favor of the Plaintiff, State of Indiana, and against the Defendant, Roy C. Palmer, individually and doing business as City Wide Roofing and Painting, as follows:

- a. the contract previously entered into by the Defendant with Robert Beasley is cancelled pursuant to Ind. Code §24-5-0.5-4(d);
- b. the Defendant shall pay consumer restitution pursuant to Ind. Code §24-5-0.5-4(c)(2), for Robert Beasley of Indianapolis, Indiana, in the amount of Five Hundred Dollars (\$500.00), payable to the Office of the Attorney General;
- c. the Defendant shall pay the Office of the Attorney General its costs of investigating and prosecuting this action, pursuant to Ind. Code § 24-5-0.5-4(c)(3), in the amount of Three Hundred Thirty-Seven Dollars and Fifty Cents (\$337.50);
- d. the Defendant shall pay civil penalties pursuant to Ind. Code §24-5-0.5-4(g) for the Defendants' knowing violations of the Deceptive Consumer Sales Act, in the amount of One Thousand Five Hundred Dollars (\$1,500.00), payable to the State of Indiana;
- e. the Defendant shall pay civil penalties pursuant to Ind. Code §24-5-0.5-8 for the Defendants' intentional violations of the Deceptive Consumer Sales Act, in the amount of One Thousand Five Hundred Dollars (\$1,500.00), payable to the State of Indiana; and

· f. the Defendant shall pay civil penalties pursuant to Ind. Code §24-5-0.5-4(f) for the Defendant's violations of an injunction in the amount of One Hundred and Thirty-Five Thousand Dollars (\$135,000.00), payable to the State of Indiana.

**For a total monetary judgment in the amount of One Hundred Thirty Eight Thousand Eight Hundred and Thirty-Seven Dollars and Fifty Cents (\$138,837.50) in favor of the Plaintiff, State of Indiana, and against the Defendant, Roy C. Palmer, individually and doing business as City Wide Roofing and Painting.**

**ALL ORDERED, ADJUDGED AND DECREED** on this \_\_\_\_\_ day of

OCT 02 2003 2003.

RECOMMENDED FOR APPROVAL

*Lynnda J. Huppert*

Judge, Marion Circuit Court

**DISTRIBUTION:**

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Roy C. Palmer  
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COMMISSIONER  
APPROVED AND ORDERED

*Theodore M. Sozin*